

Councilmember Phil Mendelson

A BILL

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

Councilmember Phil Mendelson introduced the following bill, which was referred to the Committee on \_\_\_\_\_.

To amend the firearms laws of the District of Columbia to define “firearm instructor” and allow a person to temporarily possess a firearm while participating in a firearms training and safety course; to clarify that the requirement to demonstrate knowledge of the District’s firearms laws is a one-time requirement per applicant; to repeal the requirement for a vision test; to repeal the requirement that each pistol be submitted for ballistic identification as part of the registration process; to harmonize various provisions in the laws pertaining to firearms; and to make other technical corrections and clarifications.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Firearms Amendment Act of 2011”.

Sec. 2. The Firearms Control Regulations Act of 1975, effective September 24, 1976 (D.C. Law 1-85; D.C. Official Code § 7-2502.01 et seq.), is amended as follows:

(a) Section 101 (D.C. Official Code § 7-2501.01) is amended as follows:

(1) Paragraph (9A) is redesignated as (9B) and is amended to read as follows:

“(9B) “Intrafamily offense” shall have the same meaning as provided in § 16-1001.”.

1 (2) A new paragraph (9A) is added to read as follows:

2 “(9A) “Firearm instructor” means an individual who is certified by the Chief to be  
3 qualified to teach firearms training and safety courses.”.

4 (b) Section 201 (D.C. Official Code § 7-2502.01(b)) is amended as follows:

5 (1) Subsection (a) is amended as follows:

6 (A) Paragraph (2) is amended by striking the word “or” at the end.

7 (B) Paragraph (3) is amended by striking the period at the end and inserting  
8 a semicolon and the word “or” in its place.

9 (C) A new paragraph (4) is added to read as follows:

10 “(4) To a person who complies with, and meets the requirements of, this  
11 act.”.

12 (2) Subsection (b) is amended as follows:

13 (A) Paragraph (3) is amended by striking the word “or” at the end.

14 (B) Paragraph (4) is amended by striking the period at the end and inserting  
15 a semicolon and the word “or” in its place.

16 (C) A new paragraph (5) is added to read as follows:

17 “(5) Any person who temporarily possesses a firearm while participating in  
18 a firearms training and safety course conducted by a firearm instructor.”.

19 (3) A new subsection (c) is added to read as follows:

20 “(c) For purposes of paragraph (b)(3) of this section, the term “recreational  
21 firearm-related activity” includes a firearms training and safety course.”.

22 (c) Section 203 (D.C. Official Code § 7-2502.03) is amended as follows:

23 (1) Subsection (a) is amended as follows:

1 (A) Paragraph (2) is amended to read as follows:

2 “(2) Has not been convicted of a crime of violence, a weapons offense (but  
3 not a misdemeanor violation under Section 702 or 706), or a felony in this or any other jurisdiction  
4 (including a crime punishable by imprisonment for a term exceeding one year);”.

5 (B) Paragraph (3) is amended to read as follows:

6 “(3) Is not under indictment for a crime of violence or any weapons  
7 offense.”.

8 (C) Paragraph (4) is amended as follows:

9 (1) Subparagraph (B) is amended to read as follows:

10 “(B) A violation of § 22-404 regarding assaults and threats, or §  
11 22-407, regarding threats to do bodily harm, or a violation of any similar provision of the law of  
12 another jurisdiction;”.

13 (2) Subparagraph (C) is amended to read as follows:

14 “(C) Two or more violations of § 50-22012.05(b) or, in this or any  
15 other jurisdiction, any law restricting driving under the influence of alcohol or drugs;”.

16 (3) Subparagraph (D) is amended to read as follows:

17 “(D) Intrafamily offense punishable as a misdemeanor, including  
18 any similar provision in the law of another jurisdiction; or”.

19 (4) A new subparagraph (E) is added to read as follows:

20 “(E) Misdemeanor violation pursuant to Section 702 or 706.”.

21 (D) Paragraph (10) is amended to read as follows:

22 “(10) Has not failed to demonstrate satisfactorily a knowledge of the laws  
23 of the District of Columbia pertaining to firearms and, in particular, the safe and responsible use,

1 handling, and storage of the same in accordance with training, tests, and standards prescribed by  
2 the Chief; provided, that once this determination is made with respect to a given applicant for a  
3 particular firearm, it need not be made again for the same applicant with respect to a subsequent  
4 application for a firearm or for the renewal of a registration certificate pursuant to Section 207a.”.

5 (E) Paragraph (11) is amended to read as follows:

6 “(11) Is not blind, as defined in § 7-1009;”.

7 (F) Paragraph (13) is amended as follows:

8 (1) Subparagraph (A) is amended to read as follows:

9 “(13)(A) Has completed a firearms training and safety course conducted  
10 by a certified firearm instructor, that provides, at a minimum, a total of at least one hour of firing  
11 training at a firing range and a total of at least 4 hours of classroom instruction.”.

12 (2) Subparagraph (B) is amended by striking the phrase “certified  
13 successful completion” and inserting the phrase “successful completion” in its place.

14 (3) A new subparagraph (C) is added to read as follows:

15 “(C) Evidence provided by the applicant that he or she has received  
16 military training, or has received a license from another state for which training is required, where  
17 the training is at least that specified in subparagraph (A), shall be accepted in lieu of the  
18 requirement of subparagraph (A).”

19 (2) Subsection (d) is repealed.

20 (d) Section 204(b) (D.C. Official Code § 7-2502.04(b)) is amended to read as follows:

21 “The Chief shall take a digitalized, full-face photograph of each applicant, other than an  
22 organization, to be included as part of the applicant’s firearms registration application. Such photo  
23 shall be taken simultaneous with the filing of the application.”.

1 (e) Section 206(b) (D.C. Official Code § 7-2502.06(b)) is repealed.

2 (f) The lead-in sentence of section 208 (D.C. Official Code § 7-2502.08) is amended to  
3 read as follows:

4 “§ 7-2502.08. Duties of registrants. Penalties.”.

5 (g) Section 503(c)(1) (D.C. Official Code § 7-2505.03(c)(1)) is amended by striking the  
6 phrase “2013 that” and inserting the phrase “2013, that” in its place.

7 (h) Section 702 (D.C. Official Code § 7-2507.02) is amended as follows:

8 (1) The lead-in sentence of section 702 is amended to read as follows:

9 “§ 7-2507.02. Responsibilities regarding storage of firearms. Penalties.”.

10 (2) A new subsection (e) is added to read as follows:

11 “(e) The provisions of section 706 shall not apply to this section.”.

12 Sec. 3. An Act To control the possession, sale, transfer and use of pistols and other  
13 dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of  
14 evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-  
15 4501.01 *et seq.*), is amended as follows:

16 (a) Section 1(2A) (D.C. Official Code § 22-4501(2A)) is amended as follows:

17 (1) Strike the paragraph designation “(1)” and insert the subparagraph  
18 designation “(A)” in its place.

19 (2) Strike the paragraph designation “(2)” and insert the subparagraph  
20 designation “(B)” in its place.

21 (3) Strike the paragraph designation “(3)” and insert the subparagraph  
22 designation “(C)” in its place.

23 (b) Section 3(a)(6) (D.C. Official Code § 22-4503(a)(6)) is amended to read as

1 follows:

2 “(6) Has been convicted within the past five years of an intra-family offense punishable as  
3 a misdemeanor, or any similar provision in the law of another jurisdiction.”.

4 (c) Section 4(a) (D.C. Official Code § 22-4504(a)) is amended by striking the phrase  
5 “without a license issued pursuant to District of Columbia law,” wherever it appears.

6 (b) Section 5(a) (D.C. Official Code § 22-4505(a)) is amended by striking the word  
7 “including” and replacing it with the phrase “including special police officers and campus police  
8 officers who carry a firearm in accordance with D.C. Official Code § 5-129.02 and rules  
9 promulgated pursuant to that section,”.

10 Sec. 4. Fiscal impact statement.

11 The Council adopts the fiscal impact statement in the committee report as the fiscal impact  
12 statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved  
13 December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

14 Sec. 5. Effective date.

15 This act shall take effect following approval by the Mayor (or in the event of veto by the  
16 Mayor, action by the Council to override the veto), a 60-day period of Congressional review as  
17 provided in section 602(c)(2) of the District of Columbia Home Rule Act, approved December 24,  
18 1973 (87 Stat. 813; D.C. Official Code ' 1-206.02(c)(2)), and publication in the District of  
19 Columbia Register.